

ORDER SHEET
In the Court of Sessions Judge,
Paschim Medinipur
Criminal Revision No. 719 of 2025
Sessions Judge, Paschim Medinipur
J.O. Code No.WB 00627
CIS No. 719 of 2025 CNR No.WBWM01 00 8942 2025

1 dated 2.9.25

This Criminal Revision under Section 438/440 BNSS read with section 442 BNSS filed by petitioner namely Biru Nag against Smt. Bijaya Nag and the State of West Bengal challenging the order dated 25.1.2024 passed by Ld. JM 3rd Court, Paschim Medinipur in C/W MR Case No. 65/2021 u/s 125 Cr.P.C.

Register.

Ld. Advocate for the petitioner also filed an application for stay of the impugned order.

Heard Ld. Advocate for the petitioner.

It appears that the impugned order was passed on 25.1.2024 but the instant revisional application was filed today that is on 2.9.2025 which is apparently beyond the prescribed period of filing the application. Apparently, from the certified copy of the order sheets of MR case No. 25.2021, it appears that this petitioner being O.P appeared in the instant case but did not bother to file any objection and prayed for time again and again. As a result, vide order dtd 22.12.2023 Ld. Magistrate fixed the case on exparte hearing.

Therefore, it appears that the petitioner has a definite knowledge about the case which was fixed for exparte hearing.

Ld. Advocate for the petitioner during the course of hearing submitted that the limitation period shall count from the date of knowledge.

Apparently from the face of the record, it appears that the petitioner has knowledge that the case is fixed for exparte hearing. So, this application is barred by limitation.

Considering the nature of the case, I am not going to dismiss the case right now rather, I will give an opportunity to the petitioner to file appropriate application for condonation of delay.

Fix 16.9.2025 for filing application for condonation of delay.

Dictt and Corrt by me

S. J.

Sessions Judge
Paschim Medinipur